

**State of Rhode Island
Department of Administration**

**Minutes of the
State Properties Committee Meeting
(Regular Session)**

**Held on
Tuesday, April 23, 2013
10:00 AM**

**Held at
Department of Administration
One Capitol Hill, 2nd Floor (Conference Room C)
Providence, Rhode Island 02908**

Committee Members Present (listed in alphabetical order):	
Robert Griffith	Richard Woolley, Esq.
Ronald Renaud, Chairman	
Committee Members Absent (listed in alphabetical order):	
Michael Goldberg	
Non Committee Members Present (listed in alphabetical order):	
Eva Bernardo	Michael Mitchell, Esq.
Sam Bisbee	Nancy Russolino
Kate Breslin Harden	Marco Schiappa
John Faltus	Julie Snyder
Steve Feinberg	Deb White
Tom Kane	Jon White
Mary Kay, Esq.	

Mr. Renaud welcomed everyone to the meeting this morning and attendance of the State Properties Committee members was taken by roll call. With the exception of Mr. Goldberg, all Committee members were present; therefore, Mr. Renaud called the meeting to order at 10:00 AM.

Item 1

Review and Approval of Minutes:

Mr. Renaud stated that the first item on the agenda today is the review and approval of the minutes from the State Properties Committee Meeting on April 9, 2013. Mr. Renaud asked if everyone had a chance to review the minutes and if there were any changes. Mr. Woolley mentioned that he had a couple of changes which he had previously emailed to Nancy Russolino. Nancy Russolino stated the changes were

made and a new set of minutes (to include the changes) were included in the Committee's packages today. That being said, Mr. Renaud asked for a motion to approve the minutes. Mr. Woolley made the motion, which was seconded by Mr. Griffith. The motion to approve the minutes of the April 9, 2013 State Properties Committee meeting was unanimously passed by the Committee.

Item A:

On behalf of the Department of Administration, RI Film and TV Office Mr. Steve Feinberg appeared before the State Properties Committee along with Mary Kay, Esq. on behalf of the Department of Environmental Management, Julie Snyder, Location Manager for *Infinitely Polar Bear* and Sam Bisbee (sp?) Producer, *Infinitely Polar Bar* to request the approval of and signatures on a Film License Agreement by and between the Departments of Administration and Environmental Management and the Rhode Island Film and Television Office and Infinitely Polar Bear, LLC for limited use of State Property for conducting production related activities in order to film certain scenes for an audio-visual film currently titled *Infinitely Polar Bear* at Goddard Memorial State Park during the last week of April 2013. Mr. Feinberg informed the Committee that we have a wonderful production here in Rhode Island called *Infinitely Polar Bear* starring Mark Ruffalo from *The Avengers* and Zoe Zaldonna from *Star Trek Avatar*. He went on to inform the Committee that this film is being shot throughout the state of Rhode Island and in this particular instance, on April 30, 2013, there will be filming at Goddard Memorial State Park. Mr. Feinberg went on to inform the Committee that Mary Kay has done the contracts which the Committee is in possession of today. Mr. Feinberg went on to say that he is in the possession of a deposit check given to him along with a rental fee and all other supporting documentation. With that said, Mr. Feinberg stated they are requesting permission to use the facility. Mary Kay, Esq. added that while DEM has been working with the film company and has signed off on the License Agreement for safety reasons there are some conditions that the Division of Parks and Recreation have put in the License Agreement and supporting documentation. Mr. Renaud asked if there were any comments. There being no comments, Mr. Renaud asked for a motion to approve this License Agreement. Mr. Woolley made the motion, which was seconded by Mr. Griffith. The motion to approve this License Agreement was unanimously passed by the Committee.

Item B:

On behalf of the Department of Environmental Management, Mr. John Faltus appeared before the State Properties Committee along with Mr. Jon White from Eident Sports Marketing Company to request approval of and signatures on a License Agreement, by and between the Department of Environmental Management and Eident Sports Marketing, a Providence based Sports Marketing Com, 2013 from First Street in East Providence to West Street in Barrington for the marathon portion of the Cox Providence Rhode Races. Mr. Faltus informed the Committee that this is the 5th year that Eident Sports has approached DEM about using a portion of the East Bay Bicycle Path for the marathon portion of the Cox Providence Rhode Races. He estimates there will be about 1300-1500 participants in the race this year and they have not had any problems with the event in past years. Mr. Faltus added that Jon White from Eident Sports is working closely with various police departments and they provided DEM with a permit signed by various local police departments for the running of this race. Mr. Faltus stated he has asked Mr. Jon White to attend today in case the Committee had any questions about this particular event. Mr. Renaud stated that when anyone hears about a race right now, the biggest question is “security” and asked Mr. White what the security plan is for this event. Mr. White stated that he has been in touch with all of the police departments in each municipality and also has been in touch with the RI State Bomb Squad and they, as well as the Providence Police, will have a presence at this event. After some additional discussion, Mr. Renaud asked for a motion to approve this License Agreement. Mr. Woolley made the motion, which was seconded by Mr. Griffith. The motion to approve this License Agreement was unanimously passed by the Committee.

Item C:

On behalf of the Department of Administration, Mr. Marco Schiappa and Ms. Deborah White along with Ms. Amanda Blanck, Race Director, The Color Run appeared before the State Properties Committee to request approval of and signatures on a License Agreement, by and between the Department of Administration and The Color Run to allow said organization to utilize the Station Park from October 19, 2013 through October 20, 2013. Mr. Schiappa stated to the Committee that they are there today for the proposed Color Run 5K which is a new event to the State of Rhode Island and that the Color Run is on a 100 race tour internationally with this rather unique event. It starts out at Station Park and is the same route that the CVS 5K runs.

Representatives from the Color Run have been in contact with the Providence Police as far as the actual parade route. Mr. Schiappa introduced Ms. Blanck who then explained what the event entails. Ms. Blanck informed the Committee that the Color Run is a family friendly 5K untimed race. Kids under 5 are free and there are all levels of athletes joining this 5K. Ms. Blanck explained that the color portion of it is more of a celebration of life and there are 4 color zones throughout the course and then a big color festival at the end. Ms. Blanck made it clear to the Committee that the color is actually colored corn starch which is 100% biodegradable, edible and safe. She further explained that the concept of the race is that the person wears all white and at the end of the race you are turned into a tie-dyed piece of artwork. She stated it is quite the experience. Mr. Renaud stated that this sounds like a wonderful event but he strongly suggests that Ms. Blanck make the RI State Police and the RI State Fire Marshall's Office aware of this event and especially if color is being thrown in the air with different flashes of color. Ms. Blanck agreed to do this. Mr. Renaud stated that he is a bit concerned about Station Park because he is worried that color may blow on to the State House marble. Mr. Schiappa stated that this has been discussed and the Color Run is not coming onto the State House property at all. Mr. Schiappa further informed Mr. Renaud that they have spoken to the Capitol Police about the possibility of getting a Capitol Police Officer on the grounds to make sure that people don't meander onto the State House property. Mr. Renaud stated to Ms. Blanck that he suggests that her organization pick up the tab to have the Capitol Police Officer on the State House Grounds to stop people from stepping onto the grounds on the day of the event. Ms. Blanck stated absolutely and they are willing to do whatever they need to do to make sure they are invited back to Rhode Island in the future. Mr. Griffith asked that Ms. Blanck make sure there is a provision for product liability in the insurance contract. After some additional discussion, Mr. Renaud asked for a motion to approve this License Agreement. Mr. Griffith stated that other than the product liability provision he moves approval, Mr. Woolley seconded the motion subject to consultation with the State Police as well. The motion to approve this License Agreement was unanimously passed by the Committee.

Item D:

On behalf of the Department of Transportation, Ms. Eva Bernardo appeared before the Committee to request conceptual approval to sell approximately 2,662+ square feet of State-owned land located adjacent to 405 Mendon Road, Cumberland, RI. The applicant, JustUs LLC, is the sole abutter to the parcel and desires to use it

for additional parking and signage. Ms. Bernardo wished the Committee a good morning and stated the applicant; JustUs LLC, would like to purchase approximately 2,662+ of State owned land for the purpose of additional parking. She went on to say that the parcel is a triangular shape and has no improvements. The parcel does not meet the Town of Cumberland's building requirements because of the way it is shaped. This particular property was appraised at 6,655.00 and based on the recommendations of the Rhode Island Department of Transportation's Legal Counsel regarding the exposure of the location of the property line; they waived \$655.00 bringing it to \$6,000.00. Mr. Renaud asked if this will go on to the tax rolls of the Town of Cumberland as well. Ms. Bernardo stated that yes, it will and informed the Committee that the property was acquired by condemnation in January 1936. She further stated that the former owner, along with the municipalities, was sent out notices and the return was declined. Mr. Woolley asked if this is being used for parking now. Ms. Bernardo stated that she has gone there on a couple of occasions and they did not see any activity there. Mr. Woolley then asked if it is paved to which Ms. Bernardo answered, yes but that she does not believe the State paved it. Mr. Woolley stated there may be some potential for back rent for using this for parking already and asked that this be looked into by the Department as to what use, if any, is being made of this property in the past. Ms. Bernardo agreed to check into this. Mr. Renaud stated that they would also like to know who paved and striped this parking lot since the State owns it. Ms. Bernardo agreed to check into this, as well. Mr. Woolley asked what is the nature of the business JustUs LLC. Ms. Bernardo answered that she believes it is a restaurant. Mr. Renaud asked for a motion for conceptual approval. Mr. Griffith made the motion for conceptual approval subject to their concerns, which was seconded by Mr. Woolley. The motion for conceptual approval to sell approximately 2,662+ square feet of State-owned land located adjacent to 405 Mendon Road, Cumberland, RI. was unanimously passed by the Committee.

Item E:

On behalf of the Department of Transportation, Ms. Eva Bernardo appeared once again before the Committee to inform the Committee that the request for Approval of and Execution of a Temporary Construction Easement and Permanent Easement by and between the Narragansett Bay Commission (NBC) and the Rhode Island Public Rail Corporation (RIPRC) for the purpose of installing a sewer overflow interceptor as part of Narragansett Bay Commission's (NBC) Phase II Project be DEFERRED until a future meeting. Mr. Renaud agreed to defer this item.

Item F:

On Behalf of the Department of Behavioral Healthcare, Developmental Disabilities and Hospitals, Ms. Kate Breslin Harden along with Tom Kane, President of Access Point appeared before the Committee to request approval of and signatures on a Lease Agreement by and between the State of Rhode Island, Department of Behavioral Healthcare, Developmental Disabilities and Hospitals and AccessPoint RI for the purpose of leasing a facility at 1240 Park Avenue, Cranston, RI to be used as a Day Habilitation Program for individuals with developmental disabilities. Ms. Harden informed the Committee that this lease is retroactive to December 1, 2010 through November 30, 2020. She stated this lease was originally signed back in 2010 but was not presented to the State Properties Committee for approval so it was not approved during that period of time. Mr. Renaud asked who signed the lease on behalf of the State. Ms. Harden stated that it was not signed by anyone at the State during that time. Mr. Woolley asked if Mr. Stenning's signature was put on recently as opposed to back in 2010 to which Ms. Harden stated that yes, it was. Mr. Kane then gave a brief explanation of a day rehabilitation program for the Committee's benefit. After some discussion, Mr. Renaud asked that as a condition of the lease, on an annualized basis that her facilities people go through these buildings and do an assessment of the condition of the buildings. Mr. Kane stated that because the programs are licensed by BHDDH, there is a license review every two years and part of the license review is the structure of the building and they have to show the updates on the fire, utilities, etc. After much discussion, Mr. Renaud asked for a motion to approve this Lease Agreement. Mr. Griffith made the motion, which was seconded by Mr. Woolley. The motion to approve this Lease Agreement was unanimously passed by the Committee.

Item G:

On Behalf of the Department of Behavioral Healthcare, Developmental Disabilities and Hospitals, Ms. Kate Breslin Harden along with Tom Kane, President of Access Point appeared before the Committee to request for approval of and signatures on a Lease Agreement by and between the State of Rhode Island, Department of Behavioral Healthcare, Developmental Disabilities and Hospitals and AccessPoint RI for the purpose of leasing a facility at 136 Concord Avenue, Cranston, RI to be used as a Community Residence for individuals with developmental disabilities. Ms. Harden informed the Committee that they are seeking to lease this property to AccessPoint RI. This residence is used as a group home and has been used by this Agency since July 1979. They are asking approval of this lease which is also retroactive to December 1,

2010 through November 30, 2020. Mr. Woolley asked if there were previous leases that were approved by the Properties Committee on these residences. Ms. Harden answered, yes. Mr. Woolley stated that the same discussion applies to this facility as well in terms of the background on it, maintenance, etc. Ms. Harden answered that again, Access Point has been maintaining the property as a condition of the lease as well. Mr. Woolley asked how many people are in this group home to which Mr. Kane answered four. After some discussion, Mr. Renaud asked for a motion to approve this Lease Agreement. Mr. Griffith made the motion, which was seconded by Mr. Woolley. The motion to approve this Lease Agreement was unanimously passed by the Committee.

Item H:

On Behalf of the Department of Behavioral Healthcare, Developmental Disabilities and Hospitals, Ms. Kate Breslin Harden along with Tom Kane, President of Access Point appeared before the Committee to request for approval of and signatures on a Lease Agreement by and between the State of Rhode Island, Department of Behavioral Healthcare, Developmental Disabilities and Hospitals and AccessPoint RI for the purpose of leasing a facility at 635 Dyer Avenue, Cranston, RI to be used as a Community Residence for individuals with developmental disabilities. Ms. Harden informed the Committee that this has been used by AccessPoint RI as a group home since April 1975. They have submitted all the appropriate documentation and are asking that the Committee approve this lease which is retroactive to December 1, 2010 through November 30, 2020. Mr. Woolley asked how many residents are in this facility to which Mr. Kane answered currently 5. Mr. Renaud asked for a motion to approve this Lease Agreement. Mr. Griffith made the motion to approve this Lease Agreement, which was seconded by Mr. Woolley. The motion to approve this Lease Agreement was unanimously passed by the Committee.

Mr. Renaud asked for a motion to convene to Executive Session. Mr. Griffith made the motion to move into Executive Session pursuant to Rhode Island General Law 42-46-5(a)(5) for the specific purpose of discussion or consideration related to the acquisition or lease of real property for public purpose, or of the disposition of publicly held property wherein advanced public information would be detrimental to the interest of the public. Mr. Woolley seconded the motion and a roll call vote was taken. The motion to move to Executive Session passed unanimously and everyone except for the State Properties Committee members left the room at this point.

Open Session:

Following the Committee's return to open session, Mr. Renaud asked for a motion to seal the minutes. Mr. Woolley made a motion to seal the minutes of the Executive Session, and Mr. Griffith seconded the motion and the motion passed unanimously.

Adjournment:

Mr. Renaud asked for a motion to adjourn the meeting. Mr. Griffith made the motion, which was seconded by Mr. Woolley. The motion to adjourn today's meeting was unanimously approved by the Board.

Mr. Renaud thanked everyone for their time and patience today. The meeting was adjourned at 10:55 AM

Respectfully submitted,

Nancy J. Russolino